

JEFFEREY ALAN-WILSON,
Appellant

v.

ACTING SACRAMENTO AREA DIRECTOR,
BUREAU OF INDIAN AFFAIRS,
Appellee

: Order Docketing and Dismissing
: Appeal
:
:
: Docket No. IBIA 98-53-A
:
:
: February 2, 1998

On January 30, 1998, the Board of Indian Appeals received a notice of appeal from Jefferey Alan-Wilson, pro se. Appellant seeks review of a December 23, 1997, decision issued by the Acting Sacramento Area Director, Bureau of Indian Affairs (Area Director), recognizing the Tribal Council elected on June 1, 1996, as the rightful governing body of the Cloverdale Rancheria.

The Area Director's decision stated:

This decision may be appealed to the Interior Board of Indian Appeals, 4015 Wilson Boulevard, Arlington, Virginia 22203, in accordance with the regulations in 43 CFR 4.310-4.340. Your notice of appeal to the Board * * * must be mailed within 30 days of the date you receive this decision. * * * If no appeal is timely filed, this decision will become final for the Department of the Interior at the expiration of the appeal period. No extension of time may be granted for filing a Notice of Appeal.

Appellant received the Area Director's decision on December 27, 1997, as shown by the return receipt for certified mail (green card) for Appellant's copy of the decision. Accordingly, Appellant was required to mail his notice of appeal to the Board on or before January 26, 1998. Appellant's notice of appeal shows that it was mailed on January 27, 1998. Appellant has failed to file a timely notice of appeal.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1, this appeal is docketed but is dismissed as untimely.

Anita Vogt
Administrative Judge

Kathryn A. Lynn
Chief Administrative Judge